



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 3090, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility and Drainage Easement - 83 Mohican Way - "Sunnyland Beach" Plat Book 23, Page 46 - Melbourne Beach - Julio A. Henriques - District 3

### **Fiscal Impact:**

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

### **Dept/Office:**

Public Works Department - Surveying & Mapping

### **Requested Action:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility and drainage easement on Lot 54, Block C, "Sunnyland Beach" in Section 25, Township 29 South, Range 38 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

### **Summary Explanation and Background:**

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 54, Block C and is requesting the vacating of a portion of a 5.00 ft. wide public utility and drainage easement lying in lot 54, Block C to allow for an existing pool enclosure to be replaced. Easement to be vacated contains 86 square feet, more or less. The property is located in Melbourne Beach South of Highway 192 and West of Highway A1A.

June 21, 2021, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

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### **Clerk to the Board Instructions:**

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.